



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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040804

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

MOHAMMED H. BADI, an actual inventor for Application Number 09/896,900 filed on 6/28/2001 has been approved.


David Nelms
Supervisory Patent Examiner
Technology Center 2800



2878
CCS

PTO/SB/21 (08-09)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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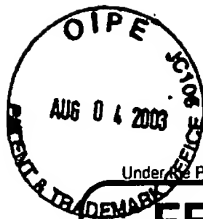
TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/896,900
	Filing Date	06/28/2001
	First Named Inventor	Butrus T. Khuri-Yakub
	Group Art Unit	2818 ✓
	Examiner Name	Tran, Mai Huong C.
Total Number of Pages in This Submission	Attorney Docket Number	S00-038

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Consent of Assignee Declaration Recordal Cover Sheet
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Dr. Ron Jacobs, Reg. No. 50,142
Signature	
Date	7-23-03

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 7/23/03			
Typed or printed name	AGA KLESZCZ		
Signature		Date	7/23/03

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17 (01-03)
Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 170.00)

Complete if Known

Application Number 09/896,900
Filing Date 6/28/2001
First Named Inventor Butrus T. Khuri-Yakub
Examiner Name Tran, Mai Huong C.
Art Unit 2818
Attorney Docket No. S00-038

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number
Deposit Account Name

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims - 20** = X =
Independent Claims - 3** = X =
Multiple Dependent =

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.00
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 170.00)

SUBMITTED BY

Name (Print/Type) Dr. Ron Jacobs

Signature

Registration No. 50,142
(Attorney/Agent)

(Complete if applicable)

Telephone (650) 424-0100

Date 7-23-03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.



Statement of Facts Concerning Inventorship in a Patent Application

As undersigned inventors originally named in the above identified patent application, we do solemnly and sincerely declare as follows:

- The present application was originally filed without a declaration by all the named inventors.
- Upon review of the application soon after it was filed, one of the named inventors discovered the oversight and soon thereafter contacted the patent firm which filed the application.
- After considering the claims in view of the overlooked inventors, it was determined that one overlooked inventor should have been included as an inventor in the original application.
- Accordingly, although the actual inventors were not named in the application as originally filed, this error was made without any deceptive intention on the part of the actual inventor(s), and action was diligently taken to correct the mistake.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information or belief are believed to be true; and further that I acknowledge that any willful false statements and the like so made herein are punishable by fine or imprisonment or both and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Butrus Khuri-Yakub



F. Levent Degertekin

A. Sanli Ergun

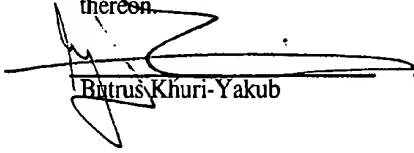


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- Accordingly, although the actual inventors were not named in the application as originally filed, this error was made without any deceptive intention on the part of the actual inventor(s), and action was diligently taken to correct the mistake.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information or belief are believed to be true; and further that I acknowledge that any willful false statements and the like so made herein are punishable by fine or imprisonment or both and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.



Butrus Khuri-Yakub

F. Levent Degertekin



A. Sanli Ergun



In the US Patent and Trademark Office
Petition under 37 CFR 1.48
Correction of Inventorship in a Patent Application

Application No.: 09/896,900
Filing Date: 6/28/2001
Title: Micro-Machined Coupled Capacitor Devices

To: Special Handling Unit
Application Division
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a request under the provisions of 37 CFR 1.48 to correct the inventorship in the above referenced patent application. In the application as originally filed, the actual inventors were not named due to an error made without any deceptive intention on the part of the actual inventor(s). Accordingly, please amend the application to name the actual inventors, as indicated below:

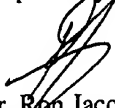
Original named inventor(s):
Butrus Khuri-Yakub, F. Levent Degertekin, A. Sanli Ergun

Actual (correct) inventor(s):
Butrus Khuri-Yakub, F. Levent Degertekin, A. Sanli Ergun and **Mohammed H. Badi**

Accompanying this petition is:

- a statement of facts verified by the original named inventor(s) establishing when the error without deceptive intention was discovered and how it occurred;
- a declaration by each actual inventor as required by 37 CFR 1.63;
- the petition fee set forth in 37 CFR 1.17(h); and
- the written consent of any assignee.

Respectfully submitted,


Dr. Ron Jacobs
Reg. No. 50,142

08/06/2003 AMWDRAF1 00000022 09896900

01 FC:1460

130.00 DP



Attorney Docket: S00-038

Declaration for Patent Application and Power of Attorney

As a below named inventor, I hereby declare that my residence, post office address, and citizenship are as stated below next to my name, and that I believe I am the original, first and sole inventor (if only one is listed) or an original, first and joint inventor (if plural names are listed) of the subject matter which is claimed and for which a patent is sought on the invention described in the attached specification entitled **Micro-Machined Coupled Capacitor Devices**.

Fourth Joint Inventor (if any):	Full name:	MOHAMMED H. BADI	Citizenship:	CANADIAN
	Residence:	P.O. Box 17229, Stanford, CA 94309		
	Postal Address:	same as above		

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a). I claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. §119
NONE			<input type="checkbox"/> Yes <input type="checkbox"/> No

I claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

PRIOR U. S. APPLICATION(S)

Application No.	Filing Date	Status
60/214,834	6/28/2000	<input checked="" type="checkbox"/> Provisional <input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Regular

I hereby appoint Thomas J. McFarlane, Reg. No. 39,299, Marek Alboszta, Reg. No. 39,894, Katharina Schuster, Reg. No. 50,000, Ron Jacobs, Reg. No. 50,142, as my agents with full power of substitution to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith. Direct all correspondence to:

Dr. Ron Jacobs
2345 Yale, 2nd Floor
Palo Alto, CA 94306
tel: (650) 424-0100
fax: (650) 424-0141

The attorney docket number for this case is: **S00-038**.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Title 18, §1001 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR SIGNATURE(S)

M. Badi
MOHAMMED H. BADI

7/8/03
Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number: 09/896,900
Filing Date: 6/28/2001
Applicants: Khuri-Yakub, et al.
Application Title: Micro-Machined Coupled Capacitor Devices
Examiner: Tran, Mai Huong C.
Art Unit: 2818

CONSENT OF ASSIGNEE

Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

I hereby declare that Mohammed H. Badi is an actual inventor for Application
Number 09/896,900 filed on 6/28/2001.

A handwritten signature in black ink that reads "Katharine Ku".

Katharine Ku
Date: 2 JULY 2003
Assignee: The Board of Trustees of
the Leland Stanford Junior
University



Attorney Docket No: S00-038

RECORDATION COVER SHEET FOR ASSIGNMENT OF PATENT

To the Hon. Commissioner of Patents and Trademarks:

Please record the enclosed copy of an assignment document. Relevant assignment data are as follows:

1. Assignors:

Mohammed H. Badi
P.O. Box 17229
Stanford, CA 94309

2. Assignee:

The Board of Trustees of the Leland Stanford Junior University
Office of Technology Licensing
1705 El Camino Real
Palo Alto, CA 94306-1106

3. Execution Date of Assignment of Entire Interest in Patent Application: **7/8/2003**

4. Execution Date of Declaration for Patent Application: **7/8/2003**

4A. Patent Application No.: **09/896,900**

4B. Patent Number: **Not Assigned**

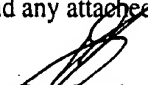
5. Correspondence address: **Dr. Ron Jacobs**
LUMEN
45 Cabot Avenue, Suite 110
Santa Clara, CA 95051

6. Total Number of applications and Patents involved: **1**

7. Total fee (37 CFR 3.41): **\$40**

8. Statement and signature:

To the best of my knowledge and belief, the information contained herein is true and correct, and any attached copy is a true copy of the original document.


Dr. Ron Jacobs
Reg. No. 50,142

7-23-03
Date: **7-23-03**
telephone: (650) 424-0100

Total number of pages including cover sheet, attachments, and document: **3**

08/06/2003 AMONDAF1 00000022 09896900

02 FC:8021

40.00 CP

ASSIGNMENT

THIS ASSIGNMENT, by

MOHAMMED H. BADI

(hereinafter referred to as the Assignor), residing at **Stanford, California**; witnesseth:

WHEREAS, said Assignor has invented certain new and useful improvements in

MICRO-MACHINED COUPLED CAPACITOR DEVICES

For Application No. **09/896,900** filed on **June 28, 2001**.

WHEREAS,

The Board of Trustees of the Leland Stanford Junior University

(hereinafter referred to as the Assignee), a body having corporate powers under the laws of the state of **CALIFORNIA, STANFORD, CALIFORNIA 94305**, is desirous of obtaining the entire right, title and interest in and to said inventions and said application for Letters Patent, and in and to any Letters Patent, United States or foreign, to be obtained therefor and thereon;

WHEREAS, said Assignor and said Assignee have executed an agreement entitled "Agreement Concerning Rights in Invention."

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and for other good and sufficient considerations, the receipt of which is hereby acknowledged:

1. The Assignor has sold, assigned, transferred and set over, and does hereby sell, assign, transfer and set over unto said Assignee, the entire right, title and interest in, to and under: said inventions; said application for Letters Patent; any Letters Patent which may be granted for said inventions in the United States of America and any foreign country; any division of said application, continuation of said application, and any continuation-in-part of said application which is subject to: said agreement concerning rights in invention; any reissue or extension of said Letters Patent; and all rights under the International Convention for the Protection of Industrial Property; said right, title and interest to be held and enjoyed by said Assignee for its own use and behoove to the full end of the term for which Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by the Assignors, had this sale and assignment not been made.

2. Said Assignor hereby warrants and represents that, at the time of execution and delivery of these presents, said Assignor is the sole and lawful owner of the entire right, title and interest in and to said inventions and said application for Letters Patent, and that the same have not entered into any assignment, contract or understanding in conflict herewith.

3. Said Assignor hereby covenants and agrees to assist and cooperate with said Assignee, whereby said Assignee may enjoy to the fullest extent said right, title and interest herein conveyed, provided, however, that the entire expense which may be incurred by said Assignors in lending such assistance and cooperation be paid by Assignee. Such cooperation shall include: (a) prompt execution of all papers (prepared at the expense of Assignee) which are deemed necessary or desirable by Assignee to perfect said right, title and interest herein conveyed, (b) prompt execution of all petitions, oaths, specifications, declarations and other papers (prepared at the expense of Assignee) which are deemed necessary or desirable by Assignee for filing or prosecuting in the


United States or any foreign country said application, any application which is a division of said application, continuation of said application, and any continuation-in-part of said application which is subject to said agreement concerning rights in invention, any reissue application for any Letters Patent granted on said application, or for any interference proceeding involving said application or Letters Patent granted thereon; and (c) prompt assistance and cooperation in the prosecution of all legal proceedings involving said inventions, said application, or Letters Patent granted thereon, including oppositions, cancellation proceedings, priority contests, public use proceedings and court actions.

4. The terms, covenants and conditions of this Assignment shall inure to the benefit of said Assignee, its successors, assigns and/or other legal representatives, and shall be binding upon said Assignor, his heirs, legal representatives and assigns.

5. The terms, covenants and conditions of this Assignment are subject to the payment of royalty by Assignee to Assignor in accordance with the provisions of said Agreement Concerning Rights in Invention.

6. Said Assignor hereby requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States to said Assignee as the assignee of said inventions.

IN WITNESS WHEREOF said Assignor has executed and delivered this instrument on the respective dates noted below.

Date: <u>7/8/03</u>	<u>M. Badi</u>
State: <u>California</u>	County: <u>Santa Clara</u> Mohammed H. Badi
Subscribed and sworn to before me on this <u>8th</u> day of <u>July</u> , 20 <u>03</u>	
<div data-bbox="423 1140 802 1297"></div>	
<u>Sara Nakashima</u> Notary Public	